

UNITED STATES DISTRICT COURT
MIDDLE District of **ALABAMA**

ARTHUR T. WATSON

V.

ALABAMA FARMERS COOPERATIVE, INC.

BILL OF COSTS

Case Number: 2:07CV520-WHA

Judgment having been entered in the above entitled action on 8/12/2008 against Plaintiff _____, the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ _____
Fees for service of summons and subpoena	_____
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	1,701.45
Fees and disbursements for printing	_____
Fees for witnesses (itemize on page two)	0.00
Fees for exemplification and copies of papers necessarily obtained for use in the case	58.00
Docket fees under 28 U.S.C. 1923	20.00
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
Other costs (please itemize)	_____
TOTAL	\$ <u>1,779.45</u>

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

- Electronic service by e-mail as set forth below and/or.
 Conventional service by first class mail, postage prepaid as set forth below.

s/ Attorney: s/Graham W. GerhardtName of Attorney: Graham W. Gerhardt/Burr & Forman LLPFor: Alabama Farmers Cooperative d/b/a Bonnie Plant FarmsDate: 8/26/2008

Name of Claiming Party

Costs are taxed in the amount of _____ and included in the judgment.

Debra P. Hackett

By:

Deputy Clerk

Date

Clerk of Court

UNITED STATES DISTRICT COURT

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:
“Sec. 1924. Verification of bill of costs.”

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

“Entry of the judgment shall not be delayed for the taxing of costs.”

ARTHUR T. WATSON v. ALABAMA FARMERS COOPERATIVE, INC.
d/b/a BONNIE PLANT FARMS
2:07cv520-WHA

ITEMIZATION OF COSTS OF DEFENDANT ALABAMA FARMERS
COOPERATIVE, INC. d/b/a BONNIE PLANT FARMS

Deposition of Plaintiff Arthur T. Watson \$796.05
 taken on 3/25/08
 by Freedom Court Reporting

Deposition of Charlie Trussell \$147.60
 taken on 4/1/08
 by Tyler Eaton Morgan Nichols & Pritchett Inc.

Deposition of Les Branham \$293.20
 taken on 4/9/08
 by Tyler Eaton Morgan Nichols & Pritchett Inc.

Deposition of Tate Gatlin \$ 62.70
 taken on 4/22/08
 by Tyler Eaton Morgan Nichols & Pritchett Inc.

Deposition of Joseph Padgett \$159.50
 taken on 5/8/08
 by Tyler Eaton Morgan Nichols & Pritchett Inc.

Deposition of Joe Stuart \$242.40
 taken on 5/23/08
 by Tyler Eaton Morgan Nichols & Pritchett Inc.

Photocopies - \$ 58.00
 (290 pages @ \$0.20 each = \$58.00)
 (Defendants summary judgment motion [6 pages],
 initial brief [31 pages], reply brief [12 pages],
 evidence [241 pages])

TOTAL **\$1,759.45**

INVOICE

Freedom Court Reporting, Inc
 367 Valley Avenue
 Birmingham, AL 35209
 Phone: 205-397-2397 Fax: 205-397-2398

Graham W. Gerhardt
 Burr & Forman, L.L.P.
 420 20th Street North
 Suite 3400
 Wachovia Tower
 Birmingham, AL 35203

Invoice No.	Invoice Date	Job No.
10720	4/10/2008	6477
Job Date	Case No.	
3/25/2008	CV 2:07 520-WHA	
Case Name		
Arthur T. Watson vs. Alabama Farmers Cooperative, Inc., d/b/a Bonnie Plant Farms		
Payment Terms		
Due upon receipt		

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Arthur T. Watson	238.00 Pages	725.90
Exhibit	29.00 Pages	10.15
Half Day Per Diem		60.00
Depo Disk		15.00
Condensed/Concordance		10.00
Hand Delivered		0.00
TOTAL DUE >>>		\$821.05

Reporter: Michelle Parvin

Thank you for choosing Freedom ~ WE APPRECIATE YOUR BUSINESS! Invoice due within 30 days of receipt. Interest will accrue at 6% annually on unpaid balance after 90 days.

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 Burr & Forman, L.L.P.
 420 20th Street North
 Suite 3400
 Wachovia Tower
 Birmingham, AL 35203

Invoice No. : 10720
 Invoice Date : 4/10/2008
Total Due : \$ 821.05

Remit To: **Freedom Court Reporting, Inc**
367 Valley Avenue
Birmingham, AL 35209

Job No. : 6477
 BU ID : FCR
 Case No. : CV 2:07 520-WHA
 Case Name : Arthur T. Watson vs. Alabama Farmers Cooperative, Inc., d/b/a Bonnie Plant Farms

**INVOICE**

(205) 252-9152 • Toll-Free (800) 458-6031 • Fax (205) 252-0196
 One Federal Place, Suite 1020 • 1819 Fifth Avenue North
 Birmingham, Alabama 35203

GRAHAM GERHARDT
 BURR & FORMAN LLP
 3400 WACHOVIA TOWER
 420 TWENTIETH STREET NORTH
 BIRMINGHAM, ALABAMA 35203

April 9, 2008
Invoice# 08-1169A
Balance: \$187.60

Re: ARTHUR T. WATSON V ALABAMA FARMERS COOPERATIVE, INC.
 on 04/01/08 Billed 04/09/08
 by ELEANOR S. PICKETT

<u>Charge Description</u>	<u>Amount</u>
DEPONENT: CHARLIE TRUSSELL	
VIDEO	
72 COPY PAGES	@ 2.05/PAGE 147.60
1 ASCII ON CD	@ 20.00/EACH 20.00
1 TRAVEL TRANSCRIPT	@ 20.00/EACH 20.00

EIN 20-2042132

Please Remit - - - > Total Due: \$187.60
 Please Detach and Return Stub With Payment

*****MAJOR CREDIT CARDS ACCEPTED*****
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One Federal Place, Suite 1020
 1819 Fifth Avenue North
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Invoice# 08-1169A
Balance\$ 187.60



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Birmingham, Alabama 35203

GRAHAM GERHARDT
BURR & FORMAN LLP
3400 WACHOVIA TOWER
420 TWENTIETH STREET NORTH
BIRMINGHAM, ALABAMA 35203

April 29, 2008
Invoice# 08-1232A
Balance: \$378.20

Re: ARTHUR T. WATSON V ALABAMA FARMERS COOPERATIVE, INC.
on 04/09/08 Billed 04/29/08
by ELEANOR S. PICKETT

<u>Charge Description</u>		<u>Amount</u>
DEPONENT: LES BRANHAM 47, ADAM ALLEY 95		
142	COPY PAGES	@ 2.05/PAGE
1	ASCII ON CD W/EXHIBITS	@ 25.00/EACH
1	ASCII ON CD	@ 20.00/EACH
2	TRAVEL TRANSCRIPT	@ 20.00/EACH
7	EXHIBITS	@ .30/PAGE

EIN 20-2042132

Please Remit - - - > Total Due: \$378.20
Please Detach and Return Stub With Payment

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Remit to:



One Federal Place, Suite 1020
1819 Fifth Avenue North
Birmingham, Alabama 35203

Invoice# 08-1232A
Balance\$ 378.20

**INVOICE**

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Birmingham, Alabama 35203

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 BURR & FORMAN LLP
 3400 WACHOVIA TOWER
 420 TWENTIETH STREET NORTH
 BIRMINGHAM, ALABAMA 35203

May 2, 2008

Invoice# 08-1252A

Balance: \$107.70

Re: ARTHUR T. WATSON V ALABAMA FARMERS COOPERATIVE, INC.
 on 04/22/08 Billed 05/02/08
 by ELEANOR S. PICKETT

<u>Charge Description</u>	<u>Amount</u>
DRAFTING TATE GATLIN	
1 COPY PAGES	61.50
1 ASCII ON CD W/EXHIBITS	25.00
1 TRAVEL TRANSCRIPT	20.00
4 EXHIBITS	1.20

EIN 20-2042132

Please Remit - - - > Total Due: \$107.70

Please Detach and Return Stub With Payment

*****MAJOR CREDIT CARDS ACCEPTED*****

Remit to:

One Federal Place, Suite 1020
 1819 Fifth Avenue North
 Birmingham, Alabama 35203

Invoice# 08-1252A

Balance\$ 107.70

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 BURR & FORMAN LLP
 3400 WACHOVIA TOWER
 420 TWENTIETH STREET NORTH
 BIRMINGHAM, ALABAMA 35203

May 22, 2008
Invoice# 08-1306A
Balance: \$204.50

Re: ARTHUR T. WATSON V ALABAMA FARMERS COOPERATIVE, INC.
on 05/08/08 Billed 05/22/08
by ELEANOR S. PICKETT

<u>Charge Description</u>		<u>Amount</u>
DEONENT: JOSEPH PADGETT		
52 COPY PAGES	@ 2.05/PAGE	106.60
52 ROUGH DRAFT	@ 1.00/PAGE	52.00
1 ASCII ON CD W/EXHIBITS	@ 25.00/EACH	25.00
1 TRAVEL TRANSCRIPT	@ 20.00/EACH	20.00
3 EXHIBITS	@ .30/PAGE	.90

EIN 20-2042132

Please Remit - - -> Total Due: \$204.50
 Please Detach and Return Stub With Payment

*****MAJOR CREDIT CARDS ACCEPTED*****
 Remit to:



One Federal Place, Suite 1020
 1819 Fifth Avenue North
 Birmingham, Alabama 35203

Invoice# 08-1306A
Balance\$ 204.50

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 BURR & FORMAN LLP
 3400 WACHOVIA TOWER
 420 TWENTIETH STREET NORTH
 BIRMINGHAM, ALABAMA 35203

June 2, 2008
Invoice# 08-1442A
Balance: \$287.40

Re: ARTHUR T. WATSON V ALABAMA FARMERS COOPERATIVE, INC.
 on 05/23/08 Billed 06/02/08
 by GAIL B. PRITCHETT

<u>Charge Description</u>		<u>Amount</u>
DEPONENT: JOE STUART		
78	COPY PAGES	@ 2.05/PAGE
78	ROUGH DRAFT	@ 1.00/PAGE
1	ASCII ON CD W/EXHIBITS	@ 25.00/EACH
1	TRAVEL TRANSCRIPT	@ 20.00/EACH
15	EXHIBITS	@ .30/PAGE
		159.90
		78.00
		25.00
		20.00
		4.50

EIN 20-2042132

Please Remit -----> Total Due: \$287.40
Please Detach and Return Stub With Payment

Remit to: *****MAJOR CREDIT CARDS ACCEPTED*****



One Federal Place, Suite 1020
 1819 Fifth Avenue North
 Birmingham, Alabama 35203

Invoice# 08-1442A
Balance\$ 287.40